

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM J. DUMAS,)	
)	Civil Action No. 07 - 142
Plaintiff,)	
)	District Judge Gary L. Lancaster/
v.)	Magistrate Judge Lisa Pupo
)	Lenihan
PENNSYLVANIA DEPARTMENT OF)	
CORRECTIONS; PENNSYLVANIA)	
DEPARTMENT OF PROBATION AND)	
PAROLE; HARRY E. WILSON,)	
Superintendent; JOANN MANN, Supervisor;)	
MR. ASHTON, Counselor; MS. MINCUCCI,)	
Counselor; MR. FLEAGLE, Counselor; C.O.)	
WOOLEN, Correctional Officer; and C.O.)	
GARRITY, Correctional Officer,)	
)	
Defendants.)	

MEMORANDUM ORDER

The above captioned case was initiated on February 5, 2007 by the filing of a Motion to Proceed *In Forma Pauperis* (IFP) (doc. no. 1) accompanied by a Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges. Plaintiff's Motion to Proceed IFP was granted on March 6, 2007 (doc. no. 3) and his Complaint was filed (doc. no. 4) on the same date.

On March 29, 2007, the Magistrate Judge filed a Report and Recommendation (doc. no. 6) recommending that Plaintiff's Complaint be dismissed in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted under 42 U.S.C. § 1983. Plaintiff was served at SCI-

Fayette and was advised he was allowed ten (10) days from the date of service to file written objections to the Report and Recommendation. Plaintiff filed Objections to the Report and Recommendation on April 12, 2007 (doc. no. 8). After review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

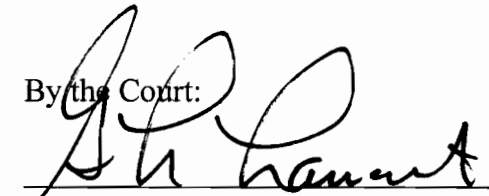
AND NOW, this 27th day of April, 2007;

IT IS HEREBY ORDERED that the Complaint is **DISMISSED** in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted under 42 U.S.C. § 1983.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 6) of Magistrate Judge Lenihan, dated March 29, 2007), is adopted as the opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

By the Court:



Gary L. Lancaster
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

William J. Dumas, GM-3654
S.C.I. Fayette
P.O. Box 9999
LaBelle, PA 15450-0999